

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

THURMAN ANTHONY,)
Plaintiff,) Civil Action No. 07 - 1380
v.) District Judge Nora Barry Fischer
DAN ONORATO, RAMON RUSTIN,)
Defendants.)

MEMORANDUM ORDER

The above captioned case was initiated by the filing of a Motion to Proceed *In Forma Pauperis* (doc. no. 1) on October 12, 2007, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

On March 13, 2008, Magistrate Judge Lisa Pupo Lenihan filed a Report and Recommendation (doc. no. 11) recommending that the Plaintiff's Complaint be dismissed for failure to prosecute and advising Plaintiff that he had ten days within which to file objections to the Report and Recommendation. No objections have been filed.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

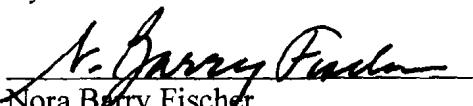
AND NOW, this 14 day of April, 2008;

IT IS HEREBY ORDERED that Plaintiff's Complaint is **DISMISSED** for failure to prosecute.

IT IS FURTHER ORDERED that the Report and Recommendation (doc. no. 11) of Magistrate Judge Lenihan dated March 13, 2008, is adopted as the Opinion of the Court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.
AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

By the Court:


Nora Barry Fischer
United States District Judge

cc: Lisa Pupo Lenihan
United States Magistrate Judge

Thurman Anthony, 104603
Allegheny County Jail
950 Second Avenue
Pittsburgh, PA 15219-3100